

UNITED STATES DISTRICT COURT  
DISTRICT OF MONTANA  
GREAT FALLS DIVISION

KARA L. MATTHEWS,

Plaintiff,

vs.

NANCY A. BERRYHILL, Acting  
Commission of Social Security,

Defendant.

Case No. CV-17-66 -GF-BMM

JUDGMENT IN A CIVIL CASE

**Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

**X Decision by Court.** This action came before the Court for bench trial, hearing, or determination on the record. A decision has been rendered.

IT IS ORDERED AND ADJUDGED:

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. [20]) are ADOPTED IN FULL.

IT IS ORDERED that this matter be REMANDED to the ALJ to re-assess Matthews' credibility and to re-examine Dr. Miller's negative findings, and to adjust or reconsider Matthews' residual functional capacity accordingly.

IT IS ORDERED that the ALJ should consider on remand whether different hypothetical statements need to be posed to the vocational expert after properly evaluating Matthews's credibility and Dr. Miller's statements.

IT IS FURTHER ORDERED that the ALJ must consider all of Matthews's medically determinable impairments in assessing her residual functional capacity.

Dated this 22nd day of April, 2019.

TYLER P. GILMAN, CLERK

By: /s/ S. Redding

S. Redding, Deputy Clerk